supra. Salutary legislation would therefore be defeated in many cases, and so it is submitted that possible regulation should only be a circumstance in determining whether the legislature acted reasonably.

CONTEMPT OF COURT — CONSTRUCTIVE CONTEMPT — BRINGING PRESSURE TO BEAR ON ATTORNEY. — In a suit for divorce, the plaintiff's father wrote a letter to the defendant urging him to withdraw his defense, and he personally threatened to bring political pressure to bear on defendant's attorney provided he did not withdraw from the case. *Held*, that these acts constituted contempt of court. *In re Bowers*, 104 Atl. 196 (N. J.).

The commonest kind of contempt occurring outside the court room is that which impedes the court in reaching a result in accord with the rules and principles of law. Thus publication of proceedings may so arouse the community, including witnesses, counsel, and jurors, as to make calm judgment difficult. *Globe Newspaper Co.* v. *Commonwealth*, 188 Mass. 449, 74 N. E. 682. See 28 HARV. L. REV. 605. This may be the effect, even though the matter published be true; hence truth is no defense. *Hughes* v. *Territory*, 10 Ariz. 119, 85 Pac. 1058; *People* v. *News-Times Pub. Co.*, 35 Colo. 253, 84 Pac. 912. But truth may be considered in mitigation of punishment. *Globe Newspaper Co.* v. *Commonwealth*, *supra*. Within the same principle comes arrest of witness. *Smith* v. *Jones*, 76 Me. 138. Also writing letters to influence witness. *Welby* v. *Still*, 66 L. T. Rep. (N. S.) 523. Assault on a witness who has testified would seem to be contempt, since general security of witnesses, after as well as during the trial, is essential to freedom in testifying. *Brannon* v. *Commonwealth*, 262 Ky. 350, 172 S. W. 703. So concealing or tampering with evidence. *Commonwealth* v. *Braynard*, Thach. Crim. Cas. (Mass.) 146. The principal case is a new and novel example of this sort of contempt of court. To force an attorney to withdraw from a cause would deprive the court as well as the party of the services of an officer, and would obviously tend to an incomplete presentation of the case for one of the parties. This would obstruct the court in applying accurately its rules and principles. For a general discussion of the subject, see Beale, "Contempt of Court, Criminal and Civil," 21 HARV. L. REV. 161.

DEEDS — CONSTRUCTION AND OPERATION — LAKE AS A BOUNDARY. — A conveyed land to B. The deed described a boundary as "along said road and lake." The road bordered on the lake, which was not navigable. *Held*, the deed conveys title to the land under the lake to the center thereof. *Land & Lake Association* v. *Conklin*, 170 N. Y. Supp. 427 (App. Div.).

If the fee in a highway is in the abutting owners subject to a public easement, a conveyance describing land as "along said road" *prima facie* conveys to the center thereof. *Peck* v. *Denniston*, 121 Mass. 17; *Columbus Ry. Co.* v. *Witherow*, 82 Ala. 190, 3 So. 23. *Cf. Thomas* v. *Hunt*, 134 Mo. 392, 35 S. W. 581; *In re Ladue*, 118 N. Y. 213, 23 N. E. 465. A deed of land "along a lake" conveys, *prima facie*, the bed thereof as far as the grantor owns. *Gouverneur* v. *National Ice Co.*, 134 N. Y. 355, 31 N. E. 865; *Lembeck* v. *Nye*, 47 Ohio St. 336. *Cf. Brophy* v. *Richeson*, 137 Ind. 114, 36 N. E. 424. Literal construction, therefore, of a deed "along said road and lake" is impossible. But construing it against the grantor, as is the rule, the deed would be interpreted as if it read "along said lake." *Lake Erie & W. R. Co.* v. *Whitham*, 155 Ill. 514, 40 N. E. 1014. Thus the question is raised as to how far titles of owners of land bordering on lakes extend. In some jurisdictions the state holds the title to lake beds so that the public may enjoy the boating and fishing. *Wright* v. *Council Bluffs*, 130 Iowa, 274, 104 N. W. 492; *Dolbeer* v. *Suncook, etc. Co.*, 72 N. H. 562, 58 Atl. 504. *Cf. Paine* v. *Woods*, 108 Mass. 160. In some, riparian owners hold title to the beds. *Glasscock* v. *National Box Co.*, 104 Ark. 154, 148 S. W.

248; *Fuller* v. *Bilz*, 161 Mich. 589, 126 N. W. 712; *Cobb* v. *Davenport*, 32 N. J. L. 369; *Hinckley* v. *Peay*, 22 Utah, 21, 60 Pac. 1012. *Cf. Gouverneur* v. *National Ice Co.*, *supra*, with *Geneva* v. *Henson*, 140 App. Div. 49, 124 N. Y. Supp. 588. Other states reserve title only in the case of non-navigable lakes. *Broward* v. *Mabry*, 59 Fla. 398, 50 So. 826; *Lamprey* v. *State*, 52 Minn. 101, 53 N. W. 1139; *Conneaut Lake Ice Co.* v. *Quigley*, 225 Pa. 605, 74 Atl. 648. *Cf. Webster* v. *Harris*, 111 Tenn. 668, 69 S. W. 782. The rights of the public would be sufficiently protected if riparian owners held in fee lake beds subject to a public easement to the use of the waters. Such is the rule in Michigan. *People* v. *Horling*, 137 Mich. 406, 100 N. W. 691.

DOMICILE — RIGHT OF AN INFANT ORPHAN TO CHOOSE. — The plaintiff was born in Massachusetts and resided there with his parents. When eight years old he was hurt by the defendant railroad and suit was started in a Massachusetts court. Then his parents died, and at the age of nineteen he moved to Maine to live with an aunt. At the age of twenty the plaintiff sued the defendant, a Massachusetts corporation in a federal court on the ground of diversity of citizenship. *Held*, the plaintiff was domiciled in Maine. *Bjornquist* v. *Boston & A. R. Co.*, 250 Fed. 929.

The domicile of an infant orphan is the domicile of the last surviving parent and cannot ordinarily be changed by any act of the infant. *Ex parte Dawson*, 3 Bradf. (N. Y.) 130; *In re Henning*, 128 Cal. 214, 60 Pac. 762; *In re Benton*, 92 Ia. 202, 60 N. W. 614; *Vennard's Succession*, 44 La. Ann. 1076, 11 So. 705. The reason is, "a person who is under the power and authority of another possesses no right to choose a domicile." See STORY, CONFLICT OF LAWS, 41. And so grandparents — but no others — who are regarded as natural parents with control of an infant orphan, have been allowed to change the domicile of the infant. *In re Benton*, 92 Ia. 202, 60 N. W. 614; *Kirkland* v. *Whateley*, 86 Mass. 462; *Mintzer's Estate*, 2 Pa. Dist. R. 584. There is not, however, this identity of domicile where the guardian is not a natural but an appointed one, since he has no right to change the domicile of the orphan outside the state of appointment. *Daniel* v. *Hill*, 52 Ala. 430; *Lamar* v. *Micou*, 112 U. S. 452. Where an infant has been emancipated by his parents he has been held able to change his own domicile. *Russell* v. *State*, 62 Neb. 512, 87 N. W. 344. See 19 HARV. L. REV. 215. To prove emancipation it is necessary only to show that by circumstances the infant has been freed from his father's control. *Sword* v. *Keith*, 31 Mich. 247; *Jacobs* v. *Jacobs*, 130 Ia. 10, 104 N. W. 489; *Bristor* v. *Chicago & N. W. R. R.*, 128 Ia. 479, 104 N. W. 487; *West Gardiner* v. *Manchester*, 72 Me. 509. An infant orphan who has reached an age of discretion and is without grandparents or guardian should be regarded as emancipated by circumstances, since he is under the control of no one. Being emancipated, he is then capable of choosing his own domicile and the principal case is clearly right.

ELECTIONS — NOTICE TO NONRESIDENT VOTERS — RIGHT TO VOTE. — The Constitution of New Jersey allows voters engaged in military service outside the election district to vote. Pursuant to this authority, a statute provides the method by which such voters shall be notified of impending elections. ACT FEB. 28, 1918, §§ 4–6, 9, P. L. 437. A special election on the liquor question was held in which these statutory requirements as to notice were not complied with, and the number of voters thereby disfranchised was sufficient to have changed the result. *Held*, that the election be set aside. *In re Holman*, 104 Atl. 212 (N. J.).

Where the time and place of an election are designated by law, statutory provisions as to the notice which must be given voters are construed to be merely directory. *Commonwealth* v. *Kelly*, 255 Pa. 475, 100 Atl. 272; *Kleist*